

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Allegation of acquisition of assets disproportionate assets to the known sources of income against Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.) – Prosecution Accorded – Convicted by the Hon'ble Prl. Special Judge for SPE & ACB Cases, Hyderabad – Crl. Appeal filed – Hon'ble High Court of Andhra Pradesh confirmed the Trial Court judgment – SLP filed in the Hon'ble Supreme Court of India – High Court judgment set aside by the Hon'ble Supreme Court – Further action dropped – Request for regularization of suspension period – Rejected – Orders – Issued.

REVENUE (VIGILANCE-V) DEPARTMENT

G.O. Rt. No. 969 .

Date: 28 .06.2012.

Read the following:-

- 1) D.G., ACB Lr. Rc.No.149/RC.CR/87, dt.19.09.1988.
- 2) G.O. Ms. No.781, Revenue (X) Deptt., dt.05.08.1989.
- 3) Govt. Memo No.7758/X1/87-8, dt.16.12.2012.
- 4) Hon'ble Prl. Special Judge for SPE & ACB Cases, Hyderabad judgment dt.01.08.1997 in CC No.70/92.
- 5) G.O. Ms. No.38, Revenue (Excise-I) Deptt., dt.08.01.1999.
- 6) Hon'ble High Court judgment dt.26.03.1999 in Crl. Appeal NO.831/1997.
- 7) Hon'ble Supreme Court of India judgement, dt.09.09.2010 in Criminal Appeal No.1181 of 2004.
- 7) G.O. Rt. No.1298, Revenue (Vig.V) Deptt., dt.29.10.2011.
- 8) Sri U. Rangachary, AC P&E (Retd.) Representation, dt.14.05.2012.
- 9) G.O. Rt. No.968, Revenue (Vig.V) Deptt., dt.28.06.2012.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has submitted final report in the case of acquisition of assets disproportionate to the known sources of legal income against Sri U. Rangachary, formerly General Manager, Government Distilleries, Narayanaguda, Hyderabad (Retired as Assistant Commissioner on 31.3.1995) and recommended to prosecute the Accused Officer in a court of law.

2) In the reference 2nd read above, sanction was accorded to prosecute the Accused Officer in a Court of Law. Accordingly, the Director General, Anti Corruption Bureau, A.P., Hyderabad has filed charge sheet against the Accused Officer in the Hon'ble SPE & ACB Court of Hyderabad. Orders were also issued in the reference second read above for initiation of disciplinary proceedings against Sri U. Rangachari, Assistant Commissioner of Prohibition & Excise (Retd.) for violation of Rule 9 (1) & (7) of A.P.C.S. (Conduct) Rules, 1964.

3) In the reference 4th read above, the Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad found the Accused Officer guilty of the offence under section 5(1) read with 5(2) of P.C. Act of 1947.

4) In the reference 5th read above, orders were issued imposing a punishment of withholding all pensionary benefits of Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.).

5) Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.) has approached the Hon'ble High Court by filing Criminal Appeal and the Hon'ble High Court in the reference 5th read above have confirmed the trial court orders.

6) Aggrieved by the above, the Accused Officer, Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.) has filed Criminal Appeal before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India, while allowing the appeal, has set-aside the impugned judgment of High Court of Andhra Pradesh.

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7) In the reference 7th read above, orders were issued dropping further action against Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.) in respect of disproportionate assets case.

8) In the reference 8th read above, Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.) has requested the Government to treat his suspension in two spells from 01.12.1987 to 28.01.1988 and from 23.06.1992 to 31.07.1993 as 'on duty' and also release his pension and other terminal benefits at an early date.

9) In the reference 9th read above orders were issued imposing a punishment of 5% cut in pension for a period of two years in the disciplinary proceedings relating to violation of Rule 9 (1) & (7) of APCS (Conduct) Rules, 1964.

10) Government, after careful examination of the matter in detail, hereby decide to treat the suspension period of Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.) as "not on duty" as the suspension of the individual was not "wholly unjustified". The said suspension period will be limited to payment of subsistence allowance only. However it shall count for all other benefits to which he is entitled such as notional increments, pay/pension fixation, promotion (if otherwise eligible), leave, etc.

11) The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri U. Rangachary, Assistant Commissioner of Prohibition & Excise (Retd.)

Through: The Commissioner of Prohibition & Excise, A.P., Hyderabad.

The Commissioner of Prohibition & Excise, A.P., Hyderabad

(with a request to serve the order to the individual and
furnish the served copy to Government for record).

Copy to:-

The Director General, Anti Corruption Bureau, A.P., Hyderabad.

The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.

The Secretary, A.P. Public Service Commission, Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

File/SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER